

JOURNAL OF THE SENATE

Friday, April 22, 1949

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The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, April 21, 1949.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Collins	Lindler	Shivers
Alford	Crary	Mathews	Smith
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Pearce	Tucker
Baynard	Gautier	Pope	Walker
Beacham	Getzen	Ray	Wilson
Beall	Johns	Rodgers	Wright
Boyle	Johnston	Sanchez	
Carroll	King	Shands	
Clarke	Leaird	Sheldon	

—37.

A quorum present.

Senator Moore was excused from attendance upon the Session today.

Prayer was offered by the Senate Chaplain, Reverend W. F. Dunkle.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, April 21, 1949 was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Sturgis, Chairman of the Committee on Governmental Reorganization, reported that the Committee had carefully considered the following Bills:

H. B. No. 69—A bill to be entitled An Act exempting hotels, apartment houses, rooming houses and restaurants from the provisions of Chapter 24096, Laws of Florida, Acts of 1947, relating to design, installation, alteration, maintenance and inspection of elevators; and repealing all laws in conflict herewith.

H. B. No. 167—A bill to be entitled An Act to repeal all continuing appropriations and all unobligated lump sum appropriations which extend beyond June 30, 1949, and making certain exceptions thereto, appropriating and transferring all funds on hand in same to the General Revenue Fund.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Pearce, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

H. B. No. 39—A bill to be entitled An Act relating to and regulating the taking of oysters, by making it unlawful to take oysters during the closed season, from the public State owned oyster grounds, private, leased or granted oyster grounds or artificial beds of oysters of Riparian owners, same being all oyster grounds, beds, or reefs of the State of Florida; to prescribe the size of oysters to be taken at any time, and to regulate the unloading, disposition and sale of oysters; providing for leasing of lands on recommendation of Director of Oyster Culture; providing that title to oyster shells remain in State; providing for penalties for violations, making provisions for the enforcement hereof and repealing conflicting laws.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Sturgis, Chairman of the Committee on Governmental Reorganization, reported that the Committee had carefully considered the following Bills:

H. B. No. 70—A bill to be entitled An Act to amend Section 509.03, Florida Statutes, 1941, relating to duties of the Hotel Commission; charging Hotel Commission with sole responsibility in certain inspection activities; and repealing all laws in conflict herewith.

H. B. No. 80—A bill to be entitled An Act related to the Hotel Commission: Adding Section 509.011, Florida Statutes; providing for changing the name of the State Hotel Commission to State Hotel and Restaurant Commission; Preserving and vesting in said Commission and its membership all rights, powers, duties and responsibilities now vested in the State Hotel Commission and State Hotel Commissioner; making all laws pertaining to the State Hotel Commission and State Hotel Commissioner applicable to the State Hotel and Restaurant Commission and the Commissioner thereof; and repealing all laws in conflict herewith.

—and recommends that they do not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Mathews, Chairman of the Committee on Judiciary "C", reported that the Committee had carefully considered the following Bills:

S. B. No. 185—A bill to be entitled An Act to provide for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs.

S. B. No. 90—A bill to be entitled An Act relating to the Supreme Court Library; authorizing the librarian thereof to requisition designated State Publications for exchange; authorizing said librarian to make exchanges; and repealing inconsistent laws.

S. B. No. 221—A bill to be entitled An Act authorizing the Board of Control to act as trustee in certain cases, prescribing the manner of conveying trust property by the Board of Control, requiring State Board of Education approval of certain conveyances and contracts. Validating certain conveyances heretofore made by the Board of Control, prohibiting the incurring of a debt on behalf of, or which would obligate, the State, and repealing all laws in conflict therewith.

S. B. No. 222—A bill to be entitled An Act authorizing the investment of certain trust funds held by State officers, boards or agencies.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 26—A bill to be entitled An Act exempting automatic coin operated vending machines which vend only unadulterated Florida produced citrus juice from the payment of all state, county, and municipal excise or license taxes.

S. B. No. 146—A bill to be entitled An Act to provide for refunding to incorporated cities and towns gasoline and motor vehicle fuel taxes paid by them under the provisions of Chapters 208 and 209, Florida Statutes 1941, as amended; to provide for the manner in which such refunds shall be claimed and paid; to provide penalties for fraudulent claims; and for the unlawful use of gasoline or motor fuel on which tax refunds have been claimed or paid; and repealing all laws and parts of laws in conflict herewith.

—and recommends that they do pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Shands, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 4—A bill to be entitled An Act providing for the taxation of mineral right and royalty interests when separated by conveyance or reservation from the title to the surface of any land in the State of Florida.

—and recommends that it do not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

H. B. No. 117—A bill to be entitled An Act amending Section 589.05, Florida Statutes, 1941, relating to the employment of the State Forester.

—and recommends that it do pass with committee amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Collins, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

H. B. No. 22—A bill to be entitled An Act fixing the per diem and traveling expenses of State officers and employees when traveling on State business.

—and recommends that it do pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Leaird, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bills:

H. B. No. 189—A bill to be entitled An Act approving and ratifying that certain compact entered into by the State of Florida and other Southern States by and through their respective Governors on February 8, 1948, as amended, relative to the development and maintenance of regional educational services and schools in the Southern States in the professional, technological, scientific, literary and other fields so as to provide greater educational advantages and facilities for the citizens of the several states who reside in such region; to declare that the State of Florida is a party to said compact and that the agreements, covenants and obligations therein are binding upon the State of Florida.

S. B. No. 216—A bill to be entitled An Act to amend Section 231.50, Florida Statutes, 1941, as amended by Chapter 22841, Laws of Florida, Acts of 1945, by increasing the monthly allowance to public school teachers and/or County Superintendents of Public Instruction who have served an aggregate period of thirty or more years as teacher and/or Superintendent of Public Instruction.

S. B. No. 226—A bill to be entitled An Act relating to the County School System: amending Section 12, Chapter 23726, Laws of Florida, Acts of 1947, providing for election of trustees by qualified electors of county; withdrawing requirement that such electors must pay tax on real or personal property within the district; and repealing so much of Section 236.32, Florida Statutes, 1941, and all other laws or parts of laws as conflict herewith.

—and recommends that they do pass.

H. B. No. 189 and S. B. No. 226, contained in the above report, were placed on the Calendar of Bills on Second Reading; and S. B. No. 216, contained in the above report, was referred to the Committee on Appropriations under the original joint reference.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with amendments, for engrossing—

S. B. No. 30—A bill to be entitled An Act to amend Section 193.45, Florida Statutes, 1941, relating to the mailing of notices of taxes, by providing for notices of unpaid taxes for the preceding year.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate
as Ex Officio Engrossing Clerk.

And Senate Bill No. 30, contained in the above report, was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with amendment, for engrossing—

S. B. No. 28—A bill to be entitled An Act to amend Section 165.01, Florida Statutes, 1941, as amended by Chapter 23656, Laws of Florida, Acts of 1947, relating to number of inhabitants necessary to incorporate a municipal government.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate
as Ex Officio Engrossing Clerk.

And Senate Bill No. 28, contained in the above report, was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with amendment, for engrossing—

S. B. No. 27—A bill to be entitled An Act designating and establishing a certain road in Bay County.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

Very respectfully,
ROBT. W. DAVIS,
Secretary of the Senate
as Ex Officio Engrossing Clerk.

And Senate Bill No. 27, contained in the above report, was ordered certified to the House of Representatives.

ENROLLING REPORT

Your Enrolling Clerk to whom was referred—

S. C. R. No. 178

S. B. No. 29

S. B. No. 31

S. B. No. 36

S. B. No. 75

S. B. No. 76

S. B. No. 131

S. B. No. 160

S. B. No. 162

S. B. No. 188

S. B. No. 192

S. B. No. 193

—begs leave to report same have been properly enrolled, signed by the President and Secretary of the Senate, and by the Speaker and Chief Clerk of the House of Representatives, and presented to the Governor on April 22, 1949, for his approval.

Very respectfully,
 ROBT. W. DAVIS,
 Secretary of the Senate
 as Ex Officio Enrolling Clerk of the Senate.

I AM A \$5-A-DAY SENATOR

Condensed from This Week Magazine
 Richard L. Neuberger

I belong to the most neglected lawmaking body on earth—an American State legislature.

A prominent constituent who visited our state capital on urgent business could not find me at any of the hotels. When I told him my wife and I had to live in a small auto court on the edge of town because my pay as a state senator averaged only \$5 a day, he was flabbergasted.

Nor is my state, Oregon, out of line with the national pattern. Connecticut pays its legislators \$600 for a two-year term, New Hampshire only \$200 every two years. Texas pays \$10 for each of the first 120 days, \$5 thereafter. Utah musters yearly pay of \$300. A few states—notably Alabama, Washington, Kansas and Arizona—add modest maintenance allowances to meet the hotel expenses of legislators.

Only a handful pay salaries to their legislators which total more than \$100 a month for an entire year. New York leads the list with an annual stipend of \$5000. New Jersey and Illinois are next with \$3000. Following them are Massachusetts with \$2750, Ohio \$2600, Michigan \$2400.

But the majority require their lawmakers to work for lower pay than a baby-sitter gets. As a friend of mine in the Montana legislature says, "I appreciate the privilege, but I don't know how long I can afford it."

The other night my wife and I totaled up how much it will nick our savings to have me serve as an Oregon state senator. In addition to losing my income as a writer and journalist for nearly three months, we are behind at least \$5 a day. We economize by pooling our groceries and cooking with the family of a young senator in an adjacent auto court. We have a car pool, too. (We get ten-cents-a-mile expense money, but only for one round trip from home to the capital.)

Almost half our members try to struggle along financially by listing their wives as their secretaries. The wife then goes on the payroll at \$7 a day (a new bill may raise it to \$8). This, combined with the member's \$5 or \$6 (he gets paid less than the secretary!) just about enables senators and representatives to break even. Wives of most legislators are not trained stenographers and the business of the state is not exactly expedited by their efforts.

More than one senator has been reprimanded for preparing breakfast on a hot-plate smuggled into his hotel room. And virtually every member picks up a few extra dollars at the end of the session by selling his set of the state's legal code to a bookstore or law library.

"I ought to keep those books," a young businessman in the senate confided, "So I'll know exactly what laws we passed or amended, but I'm so far behind I've got to have that extra \$50."

For every one of the 90 members in our legislature, a half-dozen lobbyists crowd the capital cloakrooms and hotel corridors. Armed with liberal expense accounts, they like nothing better than to pick up a legislator's dinner check, provide him with a bottle of liquor or a baked ham, or furnish him with a car and driver. One of them told me, "I call it 'dime-store lobbying.' You can get a key committee member indebted to you for the price of eggs and bacon."

A man who would never think of accepting a bribe will let a lobbyist take care of some of his meal checks or hotel bills. Then, when the time comes for the lobbyist to ask a favor, the member is hard put to turn him down. The request may be trifling and perfectly proper. It may, however, relate to exploitation of the state's natural resources. A lumber company may hope to cut timber on school lands without competitive bids. A state may lose millions because it is unwilling to authorize a few thousand to make its senators and representatives self-supporting.

In our own legislature an increasing number of members are openly on retainers from corporations or trade unions.

How will the interest of the public fare when it conflicts with that of private organizations on those payrolls these men serve?

Stunted legislative salaries work adversely in another manner. Members are under intense personal pressure to adjourn speedily and go home to some business of their own. When I served in the Oregon house of representatives before the war, we rushed through bills in the closing days that not more than two or three of us had read. And they affected such vital matters as Columbia River water power and the commitment of insane persons.

In 24 states the pay of legislators is fixed by the state constitutions. Some of these were written in pioneer times when a hotel room was 50 cents a night and breakfast cost a quarter. The Council of State Governments believes salaries should be adjusted to economic changes as they occur. It recommends that all state legislators be paid an annual salary in keeping with their responsibilities. This would enable them to spend time on state problems the year round, rather than only while the legislature is in session.

Senator Sheldon moved that the foregoing article appearing in the May 1949 issue of The Reader's Digest be spread upon the Journal.

Which was agreed to and it was so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

By Senator Boyle—

S. B. No. 264—A bill to be entitled An Act requiring the State Welfare Board to furnish to the Boards of County Commissioners of the several counties of the State of Florida names of persons receiving assistance from said State Welfare Board and certain information relative thereto.

Which was read the first time by title only and referred to the Committee on Judiciary "A" and the Committee on Welfare.

By Senator Johnston—

S. B. No. 265—A bill to be entitled An Act providing that nominees for the office of County Commissioner of Hernando County shall be nominated in primary elections from the County at large, provided that candidates for nomination shall be citizens and residents of the respective County Commissioner's District and qualified electors in said District; providing for a referendum election to determine whether this Act shall become effective.

Which was read the first time by title only.

Senator Johnston moved that the rules be waived and Senate Bill No. 265 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 265 was read the second time by title only.

Senator Johnston moved that the rules be further waived and Senate Bill No. 265 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 265 was read the third time in full.

Upon the passage of Senate Bill No. 265 the roll was called and the vote was:

Yeas—37

Mr. President	Collins	Lindler	Shivers
Alford	Crary	Mathews	Smith
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Pearce	Tucker
Baynard	Gautier	Pope	Walker
Beacham	Getzen	Ray	Wilson
Beall	Johns	Rodgers	Wright
Boyle	Johnston	Sanchez	
Carroll	King	Shands	
Clarke	Leaird	Sheldon	

Nays—None

So Senate Bill No. 265 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives.

By Senator Shivers—

S. B. No. 266—A bill to be entitled An Act relating to forest lands; regulating the harvesting of forest crops; providing a method of taxation during the period of growth, and imposing a yield tax when harvested.

Which was read the first time by title only and referred to the Committee on Finance and Taxation.

By Senator Ayers—

S. B. No. 267—A bill to be entitled An Act prohibiting any person, firm or corporation making rebates to those persons who examine the human eye or write prescriptions for lenses; making it unlawful for any person, firm or corporation engaging in the manufacture, processing, grinding, regrinding or dispensing of lenses or glasses for correction, relief or protection of the human eyes to make any rebate or payment of money to any person diagnosing or examining the human eyes and on whose prescription such glasses or lenses were processed and fitted; and prohibiting any person, firm or corporation from receiving such rebate; and providing penalties for the violation of this Act and declaring the policy of the State of Florida with regard to such practice.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator McArthur—

S. B. No. 268—A bill to be entitled An Act prohibiting State officers and employees from engaging in certain political activities, and providing a penalty for the violation hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator McArthur—

S. B. No. 269—A bill to be entitled An Act amending Section 341.14, Florida Statutes, 1941, relating to the powers and duties of the State Road Department, to provide for a maximum estimated contract price on the construction of roads, highways, and bridges, and to authorize the negotiation of a contract price of not exceeding said maximum estimated contract price.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Beall—

S. B. No. 270—A bill to be entitled An Act providing for the appointment of a person to serve temporarily, with respect to any appeal, investigation, trial, inquiry, matter or thing which may be pending before any commission, authority, administrative body or governmental agency, in lieu of any member of such commission, authority, administrative body or governmental agency who shall be disqualified to serve; and providing for the effect of any judgment, order, determination or decision of any such commission, authority, administrative body or other governmental agency, when the same shall consist of one or more persons appointed to serve under the provisions of this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Beall—

S. B. No. 271—A bill to be entitled An Act relating to assault and battery, and defining and providing the punishment for aggravated assault and battery.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Beall—

S. B. No. 272—A bill to be entitled An Act providing for the allowance and payment of reasonable attorneys fee in any suit instituted in the courts necessary in order to coerce any public officer, officers, board or agency, to perform any legal duties: providing for the reimbursement to public officials of attorneys fee so paid, if the refusal to perform said act was not the result of negligence or wilfulness.

Which was read the first time by title only and referred to the Committee on Judiciary "A".

By Senator Sanchez—

S. B. No. 273—A bill to be entitled An Act amending Section 135.01, Florida Statutes 1941, relating to erection or repair of court houses, jails and other county buildings; providing for publication of notice by County Commissioners; fixing a maximum millage levy as a building tax and limiting the taxing period.

Which was read the first time by title only and referred to the Committee on County Organizations.

By Senator Sanchez—

S. B. No. 274—A bill to be entitled An Act amending Section 1 of Chapter 24104, Laws of Florida, Acts of 1947 (the same being Section 461.04, 1947 Cumulative Supplement, Florida Statutes, 1941); providing that such Chapter shall not apply to licensed physicians and surgeons; and amending additional Section (7) Chapter 24104, Laws of Florida, Acts of 1947, (the same being Section 461.19, 1947 Cumulative Supplement, Florida Statutes, 1941), relating to unauthorized peddling of remedies, and other matters in connection therewith.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Sanchez—

S. B. No. 275—A bill to be entitled An Act amending Section 461.07, Florida Statutes, 1941, relating to licenses and fees to be charged chiroprodists; adding to Chapter 461, Florida Statutes, 1941, provisions for disposition of surplus fees, and other matters in connection therewith.

Which was read the first time by title only and referred to the Committee on Governmental Reorganization.

By Senator Sanchez—

S. B. No. 276—A bill to be entitled An Act amending Section 461.03, Florida Statutes, 1941, providing requisites for examination of chiroprodists, minimum passing grades, etc.; amending Section 461.05, Florida Statutes, 1941, providing for a Board of Chiroprody Examiners; amending Section 461.08, Florida Statutes, 1941, providing for revocation of license; and other matters in connection therewith.

Which was read the first time by title only and referred to the Committee on Public Health.

By Senator Mathews—

S. B. No. 277—A bill to be entitled An Act amending Section 102.62, Florida Statutes, with reference to the amount of expenditures authorized at primary elections for officers to be nominated in such primary elections.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator McArthur—

S. B. No. 278—A bill to be entitled An Act to amend Section 18.11, Florida Statutes, 1941, as amended by Chapter 23938, Acts of 1947, "(An Act to amend Section 18.11, Florida Statutes, 1941, which section relates to a description of securities to be given to secure deposit of State funds and provides for acceptance of safekeeping receipt in lieu of actual deposit of said securities and prescribes the form thereof, by adding to said section a provision authorizing the State Treasurer to accept, under stated circumstances, a form of safekeeping receipt authorized by the governing authority of any federal reserve bank from any such bank, which form provides, in substance, the matters set forth in such statutory form of safekeeping receipt.)" By authorizing the acceptance of county road and bridge district bonds including certain refunding bonds; revenue certificates of the Florida State Improvement Commission and the Fernandina Port Authority as security for deposit of State funds in banks of the State.

Which was read the first time by title only and referred to the Committee on Banking and Building and Loans.

By Senator McArthur—

S. B. No. 279—A bill to be entitled An Act permitting the

acceptance by the State Treasurer of county and special tax district bonds; road and bridge district bonds including certain refunding bonds; certificates of the Florida State Improvement Commission, and the Fernandina Port Authority as deposits of insurance companies required by law to make deposits with the State Treasurer.

Which was read the first time by title only and referred to the Committee on Insurance.

By Senator Sheldon—

S. B. No. 280—A bill to be entitled An Act authorizing and empowering the City of Tampa, Florida, a municipal Corporation, to sell and exchange, without advertisement, to the Boys' Club of Tampa, Inc., a non-profit Corporation, real property described as follows: Beginning at the Southeast corner of Lot A, Cuscaden Grove First Addition, according to map or plat thereof recorded in Plat Book 26, Page 7, Public Records of Hillsborough County, Florida, and run thence North two hundred ten (210) feet for a point of beginning, thence run North along the Easterly boundary line of said Lot A, one hundred forty-five (145) feet to a point, thence West along a line parallel to the Southerly boundary of said Lot A, one hundred twenty (120) feet to a point, thence South along a line parallel to the Easterly boundary line of said Lot A, one hundred forty-five (145) feet to a point, thence East along a line parallel to the Southerly boundary line of said Lot A one hundred twenty (120) feet to a point of beginning, containing forty one-hundredths (0.40) of an acre, more or less, in the City of Tampa, County of Hillsborough and State of Florida, and to accept in full payment therefor the deed of the Boys' Club of Tampa, Inc., conveying to said City of Tampa real property described as Lots 48, 49 and 50 of Cuscaden Grove, according to map thereof recorded in Plat Book 10 on Page 19 on the Public records of Hillsborough County, Florida.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 280 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 280 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 280 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 280 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 280 was read the third time in full.

Upon the passage of Senate Bill No. 280 the roll was called and the vote was:

Yeas—37

Mr. President	Collins	Lindler	Shivers
Alford	Crary	Mathews	Smith
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Pearce	Tucker
Baynard	Gautier	Pope	Walker
Beacham	Getzen	Ray	Wilson
Beall	Johns	Rodgers	Wright
Boyle	Johnston	Sanchez	
Carroll	King	Shands	
Clarke	Leaird	Sheldon	

Nays—None

So Senate Bill No. 280 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Sheldon, Mathews, Brackin, Shands, Tucker, Ayers, Crary and McArthur—

S. B. No. 281—A bill to be entitled An Act to require inclusion on the General Election ballot of 1950 for ratification or rejection the question of participation of the United States in a World Federal Government capable of preventing war.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senators Sheldon, Mathews, Brackin, Shands, Tucker, Ayers, Crary and McArthur—

Senate Memorial No. 282:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION AS PROVIDED BY ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES, FOR THE PURPOSE OF DETERMINING THE ADOPTION OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES WHEREBY THE UNITED STATES CAN PARTICIPATE IN A LIMITED WORLD FEDERAL GOVERNMENT TO BE CREATED BY AMENDMENT TO THE UNITED NATIONS CHARTER, OR BY A WORLD CONSTITUTIONAL CONVENTION, WITH AUTHORITY TO ENACT, INTERPRET AND ENFORCE LAWS TO PREVENT WARS.

WHEREAS, war is now a threat to the very existence of our civilization, because modern science has produced weapons of war which are overwhelmingly destructive and against which there is no sure defense; and

WHEREAS, the effective maintenance of world peace is the proper concern and responsibility of every American citizen; and

WHEREAS, the people of the State of Florida, while now enjoying domestic peace and security under the laws of their local, state and federal government, deeply desire the guarantee of world peace; and

WHEREAS, all history shows that peace is the product of law and order, and that law and order are the product of government; and

WHEREAS, the United Nations, as presently constituted, although accomplishing great good in many fields, lacks authority to enact, interpret or enforce world law, and under its present charter is incapable of restraining any major nations which may foster or foment war; and

WHEREAS, the charter of the United Nations expressly provides in Articles 108 and 109, a procedure for reviewing and altering the charter; and

WHEREAS, the necessity for endowing the United Nations with limited powers rendering it capable of enacting, interpreting or enforcing world law adequate to prevent war has been recognized by the Florida State Legislature through the passage of House Concurrent Resolution No. 10, 1945; and

WHEREAS, many other states have memorialized Congress through resolutions by their state legislatures or in referenda by their voters, to initiate steps toward the creation of a world federal government; and

WHEREAS, several nations have recently adopted constitutional provisions to facilitate their entry into a world federal government by authorizing a delegation to such a world federal government of a portion of their sovereignty sufficient to endow it with powers adequate to prevent war.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to call a convention for the sole purpose of proposing amendment to the Constitution to expedite and insure the participation of the United States in a world federal government, open to all nations, with powers which, while defined and limited, shall be adequate to preserve peace, whether the proposed Charter or Constitution of such world federal government be presented in the form of amendments to the Charter of the United Nations, or by a world constitutional convention.

RESOLVED, That the Secretary of State of the State of Florida is hereby directed to transmit copies of this application to the Senate and the House of Representatives of the Congress, to the members of the said Senate and House of Representatives from this state, and to the presiding officers of each of the legislatures in the several states, requesting their cooperation.

BE IT FURTHER RESOLVED, that certified copies of the foregoing preamble and memorial be immediately forwarded by the Secretary of State of the State of Florida, under the GREAT SEAL, to the President of the United States, the President of the Senate of the United States, and the Speaker of the House of Representatives of the United States.

Which was read the first time in full and referred to the Committee on Privileges and Elections.

By Senator Crary—

S. B. No. 283—A bill to be entitled An Act designating certain state roads as super highways and requiring the State Road Department to cooperate with the federal government to complete said roads at the earliest practical date and repealing all laws or parts of laws in conflict with this Act.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senators Collins and Crary—

S. B. No. 284—A bill to be entitled An Act to authorize the Supreme Court to sell and dispose of excess volumes of Supreme Court reports; to authorize the reprint of any volumes of Supreme Court reports that are exhausted and out of print and to execute such contracts as may be necessary to effect the purpose of this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "C".

By Senator Sheldon—

S. B. No. 285—A bill to be entitled An Act amending Section 9 of Chapter 23338 of the Laws of Florida of 1945 establishing and incorporating Hillsborough County Port Authority by providing that no funds or monies shall be withdrawn from the treasury of the Authority except upon action by the Port Authority and upon vouchers therefor signed by any one member of the Authority and the Port Manager of the Authority.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 285 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Sheldon moved that the rules be waived and Senate Bill No. 285 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 285 was read the second time by title only.

Senator Sheldon moved that the rules be further waived and Senate Bill No. 285 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

An Senate Bill No. 285 was read the third time in full.

Upon the passage of Senate Bill No. 285 the roll was called and the vote was:

Yeas—37

Mr. President	Collins	Lindler	Shivers
Alford	Crary	Mathews	Smith
Ayers	Davis	McArthur	Sturgis
Baker	Franklin	Pearce	Tucker
Baynard	Gautier	Pope	Walker
Beacham	Getzen	Ray	Wilson
Beall	Johns	Rodgers	Wright
Boyle	Johnston	Sanchez	
Carroll	King	Shands	
Clarke	Leaird	Sheldon	

Nays—None

So Senate Bill No. 285 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 21, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Senator Franklin—

Senate Concurrent Resolution No. 95:

A CONCURRENT RESOLUTION CONCERNING STATE OWNERSHIP OF AND CONTROL OVER LANDS BENEATH ITS NAVIGABLE INLAND WATERS AND MARGINAL SEAS.

WHEREAS, the State of Florida owns and possesses approximately seven thousand three hundred forty (7,340) square miles of land beneath its marginal seas, and approximately four thousand two hundred ninety-eight (4,298) square miles of land beneath its inland waters, or a total of approximately eleven thousand six hundred thirty-eight (11,638) square miles of land beneath the navigable waters within its boundaries, subject only to the constitutional grant of authority, to the federal government, other navigation, commerce and national defense; and

WHEREAS, State ownership of this property has been and will continue to be an important source of revenue for our State, the loss of which would be a great injury to the State and our people, for whom it is held in trust; and,

WHEREAS, after over one hundred (100) years of recognized State ownership without interference with the delegated federal powers, certain federal officials are now suing other states for similar property and advocating federal seizure of the lands;

NOW, THEREFORE, BE IT RESOLVED by the Senate of Florida, the House of Representatives concurring:

That the State of Florida favors continued State ownership and control, subject only to the powers over navigation, commerce and national defense only granted to the federal government by the federal constitution, of lands and resources within and beneath the navigable waters within the boundaries of the respective states, including such lands and resources within and beneath the marginal seas, and requests that the Congress of the United States enact suitable legislation to that end.

That the members of our delegation in Congress are hereby requested to give their active opposition to all pending and proposed measures which would create federal ownership or control of lands, fish or other resources beneath navigable waters within State boundaries.

That the members of our delegation in Congress are hereby requested to give their active support to legislation which would recognize and confirm State ownership of such property.

That a copy of this resolution be mailed to each member of our delegation in Congress.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 95, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Bryant of Marion, Moody and Branch of Hillsborough—

H. B. No. 191—A bill to be entitled An Act to amend Section 201.02, Florida Statutes 1941, relative to tax on deeds and other instruments relative to lands, etc., by including leases, and the basis of determining tax thereon, and by providing that stamps in the proper amount shall be affixed to such instruments and duly cancelled before same shall be admissible to record or be recorded in any public record in this State or be enforceable in any court of this State; and to amend Section 201.08, Florida Statutes 1941, relative to tax on promissory notes, written obligations to pay money, assignment of wages, etc., by providing that where promissory notes or bonds are secured by mortgage, deed of trust or written evidence of a specific lien in the nature of a mortgage the tax shall be on such instrument and each renewal thereof, and not on the notes or bonds, and on each \$100.00 of the indebtedness or obligation evidenced thereby the tax shall be ten cents; and by virtue of the benefit and protection accorded to the owners of such notes and bonds through the laws of Florida, stamps in the proper amount shall be affixed to such instruments and duly cancelled before same shall be admissible to record or be recorded in any public record of this State or be enforceable in any court of this State.

Also—

By Messrs. Fuqua and Rood of Manatee, Moody of Hillsborough, Cook of Flagler and Burnsed of Baker—

H. B. No. 200—A bill to be entitled An Act authorizing Boards of County Commissioners of the several Counties of the State of Florida to own land for park purposes and to acquire the same by gift, grant, devise, dedication, or condemnation for such purposes, and to maintain the same and to operate or let concessions thereon without advertisement and to levy a tax for such purposes.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Bill No. 191, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

And House Bill No. 200, contained in the above message, was read the first time by title only and referred to the Committee on Governmental Reorganization.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed as amended—

By Messrs. Fuqua and Rood of Manatee, Moody of Hillsborough, Cook of Flagler, and Burnsed of Baker—

H. B. No. 206—A bill to be entitled An Act to amend Section 193.29 Florida Statutes, 1945 Supplement, and Section 193.30, Florida Statutes, 1941, relating to taxation and finance to provide for filing of copies of county assessment rolls with the Comptroller, for use by the Tax Collectors of original assessment rolls and filing thereof with Clerks of the Circuit Courts and authorizing Tax Assessors to destroy under certain conditions copies of the tax roll retained by them and authorizing Clerks of Circuit Courts to destroy duplicate assessment rolls for prior years now on file in their offices.

Also—

By Messrs. Andrews and Thornal of Orange and Cobb and Sweeney of Volusia—

H. B. No. 313—A bill to be entitled An Act authorizing the State Road Department to construct pedestrian or livestock underpasses under or pedestrian or livestock overpasses over

any state road or bridge or causeway or underpass or overpass state road structure.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives.

And House Bill No. 206, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

And House Bill No. 313, contained in the above message, was read the first time by title only and referred to the Committee on Public Roads and Highways.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Fuqua and Rood of Manatee, Moody of Hillsborough, Cook of Flagler, and Burnsed of Baker—

H. B. No. 204—A bill to be entitled An Act providing that no transfer or assignment of State and County or County tax sale certificates shall be valid and binding against the State, County, Clerk of the Circuit Court or Board of County Commissioners unless and until such transfer or assignment shall be recorded in the office of the Clerk of the Circuit Court of the County in which the land described in such certificate is situate; providing that persons or corporations claiming as assignees prior to the effective date of this Act shall have sixty days after this law becomes effective to record their assignments; and repealing all laws in conflict.

Also—

By Messrs. Fuqua and Rood of Manatee, Moody of Hillsborough, Cook of Flagler, and Burnsed of Baker—

H. B. No. 207—A bill to be entitled An Act relating to conveyances by Boards of County Commissioners to churches or to trustees for churches of lands owned by such and used for church purposes at time of acquisition by Counties under Chapter 22079, Laws of Florida, Acts of 1943, or Acts Amendatory thereof; providing for private sale without advertising; and permitting such boards to determine amounts to be paid.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives.

And House Bills No. 204 and 207, contained in the above message, were read the first time by titles only and referred to the Committee on Finance and Taxation.

The following message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed as amended—

By Messrs. Clement, McClure and Schuh of Pinellas—

H. B. No. 127—A bill to be entitled An Act to amend Section 734.29, Florida Statutes, 1941, as set out in Section 14 of Chapter 22847, Laws of Florida, Acts of 1945, relating to limitations against unadministered estates.

Also—

By Messrs. Hough of Lee and Cobb of Volusia—

H. B. No. 163—A bill to be entitled An Act to amend Section 631.05, Florida Statutes of 1941, as amended relating to the measure of damage where property is totally or partially destroyed by fire by providing that a fire insurer may issue a policy or endorsement indemnifying the insured for the difference between the insurable value of property damaged and the actual amount expended to repair or rebuild.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk, House of Representatives.

And House Bill No. 127, contained in the above message, was read the first time by title only.

Senator Baynard moved that the rules be waived and House Bill No. 127 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

And House Bill No. 163, contained in the above message, was read the first time by title only and referred to the Committee on Insurance.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted as amended—

By Mr. Beasley of Walton—

House Concurrent Resolution No. 243:

A CONCURRENT RESOLUTION RELATING TO RENUMBERING OF SECTIONS CONTAINED IN AMENDMENTS TO ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF FLORIDA, SAME BEING ERRONEOUSLY NUMBERED IN THE RESOLUTIONS ADOPTED BY THE LEGISLATURES OF 1943 AND 1947, WHICH WERE DULY RATIFIED AT THE GENERAL ELECTIONS OF 1944 AND 1948.

WHEREAS, by Senate Joint Resolution No. 746, ratified at the General Election of 1944, two additional sections were adopted amending Article VIII of the State Constitution and were erroneously designated by the Legislature as Sections 11 and 12, there being a Section 11 of Article VIII existent; and

WHEREAS, by House Joint Resolutions Nos. 1379 and 93; ratified at the General Election of 1948, four additional sections were adopted amending Article VIII of the Constitution and some of said sections were erroneously designated by the Legislature to bear the same section numbers, also in conflict with existing section numbers of Article VIII, as corrected hereby; therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF FLORIDA, THE SENATE CONCURRING:

That Sections 11 and 12 amending Article VIII of the State Constitution relating to the County Tax Assessor and the County Tax Collector of Hillsborough County, Florida, respectively, adopted by the Legislature of 1943 as Senate Joint Resolution No. 746 and ratified at the General Election of 1944, are hereby renumbered Section 12 relating to the County Tax Assessor of Hillsborough County and Section 13 relating to the County Tax Collector of Hillsborough County.

That Sections 13 and 14 amending Article VIII of the State Constitution contained in House Joint Resolution No. 1379 ratified at the General Election of 1948, relating to the County Tax Assessor and the County Tax Collector of St. Lucie Coun-

ty, Florida, respectively, are hereby re-numbered as Section 14 relating to the County Tax Assessor of St. Lucie County and Section 15 relating to the County Tax Collector of St. Lucie County.

That Sections 13 and 14 amending Article VIII of the State Constitution contained in House Joint Resolution No. 93 adopted at the General Election of 1948, relating to the County Tax Assessor and the County Tax Collector of Pinellas County, Florida, respectively are hereby re-numbered as Section 20, relating to the County Tax Assessor of Pinellas County, Florida and Section 21, relating to the County Tax Collector of Hillsborough County, Florida.

That Section 32 of Article VI of the Constitution of the State of Florida relating to Salt Water Fish and Salt Water Products as adopted by House Resolution 560, Acts of 1941, and ratified in the General Election of 1942, is hereby re-numbered as Section 33 of said Article XVI of the Constitution of the State of Florida.

BE IT FURTHER RESOLVED, That the Secretary of State of the State of Florida be instructed to correct the numbers of the sections as set forth in this resolution in the records of the official acts and resolutions of the Legislature of the State of Florida on file in his office.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And House Concurrent Resolution No. 243, contained in the above Message, was read the first time in full and referred to the Committee on Constitutional Amendments.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Shands—

S. B. No. 53—A bill to be entitled An Act to amend Section 467.12, Florida Statutes, 1941, by providing for the payment of an annual registration fee by registered architects not to exceed twenty-five dollars per year; repealing all laws in conflict herewith; and providing when said Act shall take effect.

Respectfully,
LAMAR BLEDSOE,
Chief Clerk House of Representatives.

And Senate Bill No. 53, contained in the above Message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
April 22, 1949.

Hon. Newman C. Brackin,
President of the Senate.
Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Dayton of Pasco—

House Bill No. 1364 (1947 Session):

An Act to ratify, confirm and validate those certain re-funding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Special Road and Bridge District No. 1 in Pasco County, Florida, and all interest coupons issued

and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
 Chief Clerk House of Representatives.

And House Bill No. 1364 (1947 Session) contained in the above Message, was read by title and referred to the Committee on Executive Communications.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 April 22, 1949.

Hon. Newman C. Brackin,
President of the Senate.
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Dayton of Pasco—
 House Bill No. 1363 (1947 Session):

An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Highlands Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
 Chief Clerk House of Representatives.

And House Bill No. 1363 (1947 Session), contained in the above Message, was read by title and referred to the Committee on Executive Communications.

The following Message from the House of Representatives was read:

Tallahassee, Florida,
 April 22, 1949.

Hon. Newman C. Brackin,
President of the Senate.
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Dayton of Pasco—
 House Bill No. 1366 (1947 Session):

An Act to ratify, confirm and validate those certain refunding bonds, bearing date the 1st day of April, A. D. 1938, issued by or on behalf of Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE,
 Chief Clerk House of Representatives.

And House Bill No. 1366 (1947 Session), contained in the above Message, was read by title and referred to the Committee on Executive Communications.

The following message from the House of Representatives was read:

Tallahassee, Florida,
 April 22, 1949

Hon. Newman C. Brackin,
President of the Senate.
 Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed by the required Constitutional two-thirds vote of all Members of the House of Representatives present, the Governor's objections to the contrary notwithstanding—

By Mr. Dayton of Pasco—
 H. B. No. 1365 (1947 Session)—

An Act to ratify, confirm and validate those certain refunding bonds bearing date the 1st of April, A. D. 1938, issued by or on behalf of Gulf Special Road and Bridge District in Pasco County, Florida, and all interest coupons issued and delivered in connection with said refunding bonds, and all acts and proceedings in connection with the execution and delivery of said bonds and interest coupons.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
 Chief Clerk, House of Representatives.

And House Bill No. 1365 (1947 Session), contained in the above Message, was read by title and referred to the Committee on Executive Communications.

UNFINISHED BUSINESS

S. B. No. 42—A bill to be entitled An Act requiring operators of motor vehicles involved in certain accidents defined herein to respond in damages for injuries caused to persons or property and requiring proof of financial responsibility of such operators under certain circumstances; defining motor vehicles, commissioner, operator, person, nonresident, license, proof of financial responsibility, and motor vehicle liability policy; prescribing the duties, power, and authority of the Insurance Commissioner in the administration and enforcement of this Act; prescribing the procedure of appeals from decision of the Insurance Commissioner; providing for report of certain accidents; providing for the suspension, revocation, and reinstatement of licenses; providing for deposit of securities with the State Treasurer and for the release of such securities; providing for reciprocal financial responsibility agreements with other states; providing certain requirements of insurance carriers in connection with the provisions herein; providing for other matters in connection with responsibility of operators of motor vehicles; providing penalties for violations of sections of this Act and repealing all laws or parts of laws in conflict herewith.

Which was pending roll call, having been read the third time in full, as amended, on April 21, 1949, was taken up in its order.

Upon the passage of Senate Bill No. 42, as amended, the roll was called and the vote was:

Yeas—22

Ayers	Collins	Mathews	Shivers
Baker	Crary	McArthur	Smith
Beacham	Franklin	Pope	Tucker
Beall	Gautier	Ray	Walker
Boyle	King	Rodgers	
Carroll	Leaird	Shands	

Nays—15

Mr. President	Davis	Lindler	Sturgis
Alford	Getzen	Pearce	Wilson
Baynard	Johns	Sanchez	Wright
Clarke	Johnston	Sheldon	

So Senate Bill No. 42 passed, as amended, and was referred to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

Senator Gautier moved that a committee be appointed to escort Honorable George A. Smathers, of Miami, Member of The Congress from the Fourth Congressional District of Florida, to a seat on the rostrum.

Which was agreed to.

And the President appointed Senators Gautier, Beacham and Leaird as the Committee.

Senator McArthur moved that the rules be waived and when the Senate adjourns today it adjourn to reconvene at 3:00 o'clock P. M., Monday, April 25, 1949.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Shands moved that the rules be waived and the hour of adjournment be extended until 1:15 o'clock P. M.

Which was agreed to by a two-thirds vote and it was so ordered.

MOTION TO RECONSIDER

S. B. No. 218—A bill to be entitled An Act prohibiting the Florida Railroad and Public Utilities Commission from issuing, enlarging or extending any Certificate of Public Convenience and Necessity permitting any auto transportation company from carrying persons whose complete journey is wholly within the territorial limits of any city or town or between any two or more cities or towns in the same county whose boundaries adjoin any one or more of the boundaries of the others and in the adjoining suburban territory thereof as defined in Section 323.05 Florida Statutes 1941, as amended, or to or from any airport serving any of said municipalities; prohibiting said Commission from interfering with any company, not now operating under a Certificate of Public Convenience and Necessity from said Commission, carrying passengers in certain territories; exempting from the jurisdiction and control of the Florida Railroad and Public Utilities Commission certain territory; providing for municipalities to have jurisdiction and control over auto transportation companies in certain suburban territories, and providing for repeal of all laws in conflict herewith.

The motion made by Senator King on April 21, 1949, to reconsider the vote by which the motion made by Senator Beall on April 20, 1949, to refer Senate Bill No. 218 to the Committee on Transportation and Traffic and the Committee on Motor Vehicles, jointly, failed of adoption, was taken up.

The question was put: "Will the Senate reconsider the vote by which the motion made by Senator Beall failed of adoption?"

Which was agreed to and the Senate reconsidered the vote by which the motion made by Senator Beall to refer Senate Bill No. 218 to the Committee on Transportation and Traffic and the Committee on Motor Vehicles, jointly, failed of adoption on April 20, 1949.

The question recurred on the adoption of the motion made by Senator Beall.

Which was agreed to and Senate Bill No. 218 was referred

to the Committee on Transportation and Traffic and the Committee on Motor Vehicles, jointly.

Senator Leaird asked unanimous consent of the Senate to take up and consider House Bill No. 189, out of its order, at this time.

Which was agreed to.

H. B. No. 189—A bill to be entitled An Act approving and ratifying that certain compact entered into by the State of Florida and other Southern States by and through their respective Governors on February 8, 1948, as amended, relative to the development and maintenance of Regional Education Services and Schools in the Southern States in the professional, technological, scientific, literary and other fields so as to provide greater educational advantages and facilities for the citizens of the several states who reside in such region; to declare that the State of Florida is a party to said compact and that the agreements, covenants and obligations therein are binding upon the State of Florida.

Was taken up.

Senator Leaird moved that the rules be waived and House Bill No. 189 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 189 was read the second time by title only.

Senator Leaird moved that the rules be further waived and House Bill No. 189 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 189 was read the third time in full.

Upon the passage of House Bill No. 189 the roll was called and the vote was:

Yeas—35

Mr. President	Clarke	King	Shands
Alford	Collins	Leaird	Sheldon
Ayers	Crary	Lindler	Shivers
Baker	Davis	McArthur	Smith
Baynard	Franklin	Pearce	Sturgis
Beacham	Gautier	Pope	Tucker
Beall	Getzen	Ray	Wilson
Boyle	Johns	Rodgers	Wright
Carroll	Johnston	Sanchez	

Nays—1

Mathews

So House Bill No. 189 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The hour of adjournment having arrived a point of order was called and the Senate stood adjourned at 1:18 o'clock P. M., until 3:00 o'clock P. M., Monday, April 25, 1949.